CA 152 (1) 4 S

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

CIVIL REVISION NO. 180 /2004

APPLICANT

MANOJ KUMAR GHIRHEY
S/o. Shatrughan Ghirhey
Aged about 26 years, R/o. Gram Karumoha, Post - Bundeli, Chowki-Rajgamaar, District - Korba (C.G.)

VERSUS

NON-APPLICANT

SMT. MEENA ANUPAMA
D/o. Shantilal (clearly not mentioned in the order sheet) Khare, Aged about 22 years, R/o. Semipali, Post - Kudurmaal, Police Chowki - Urga, District & tehsil - Korba (C.G.)

P.R. No. 27/12/04
Presented by Shri Gyanendra Singh
dated 29/12/04

CIVIL REVISION U/SEC. 115 OF THE CODE OF CIVIL PROCEDURE

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... C.R.No.180/04 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	07/10/2005 Shri Gurudev Sharan, Counsel for the applicant. None for the non-applicant. Heard o admission and on M.C.P.No.1555/2004. Applicant has filed a suit for divorce against non-applicant. In that suit non-applicant – wife of the applicant appeared and filed an application under Section 24 of the Hindu Marriage Act for grant of maintenance and expenses of the proceeding. Applicant opposed the application on the ground that she is living in adultery. Learned trial Court held that whether non-applicant is living in adultery or not is a matter of enquiry and as undisputedly non-applicant is legally wedded wife of applicant, therefore, vide impugned order granted interim maintenance @ of Rs.700/- per month and Rs.1500/- towards Court expenses. Under Section 24 of the Hindu Marriage Act, if wife has no independent income, sufficient for her support and necessary expenses of the proceedings, Court may order the husband to pay the expenses of the proceedings and monthly maintenance. The dispute of adultery does not create any bar in allowing maintenance or Court expenses.	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

CR. 180/04

मामला क्रमांक ..... सन् 200

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raju	The maintenance and court expenses allowed are not on the higher side. The order passed by the trial Court does not call for any interference; therefore, the revision is liable to be dismissed summarily and is accordingly dismissed. In the light of above order, M.C.P.No.1555/2004 and I.A.Nos. 3245/2004 and 258/2005 stand disposed of. **Sd//-** **V.K.Shrivastava** **Judge**	